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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,)	CR No. 07-711-MMC
)	
Plaintiff,)	STIPULATION AND PROPOSED ORDER
)	EXCLUDING TIME UNDER 18 U.S.C. § 3161
v.)	
)	
OSCAR ERNESTO ROMERO-ROMERO,)	
JR.,)	
)	
Defendant.)	
_____)	

On November 19, 2007, the parties in this case appeared before the Court and stipulated that time from November 19, 2007 through December 5, 2007 should be excluded from Speedy Trial Act calculations because defense counsel needs adequate time to review discovery. The parties represented to the Court that the length of the requested continuance was the reasonable amount of time necessary for effective preparation of defense counsel, taking into account the exercise of due diligence. 18 U.S.C. § 3161(h)(8)(B)(iv). The parties also agreed that the ends of justice

served by this continuance outweighed the best interests of the public and the defendant in a speedy trial. 18 U.S.C. § 3161(h)(8)(A).

SO STIPULATED:

Respectfully submitted,
SCOTT N. SCHOOLS
United States Attorney

DATED: November 28, 2007

/s/
TAREK J. HELOU
Assistant United States Attorney


DATED: November 28, 2007

/s/
JODI LINKER
Attorney for Defendant Francisco Acosta-Rojas

As the Court found on November 19, 2007, and for the reasons stated above, the Court finds that the ends of justice served by the requested continuance outweigh the best interests of the public and the defendant in a speedy trial. The Court also finds that time from November 19, 2007 through December 5, 2007 shall be excluded from Speedy Trial Act calculations for effective preparation of defense counsel. 18 U.S.C. §3161(h)(8)(A). Failing to grant the requested continuance would deny counsel reasonable time necessary for effective preparation, taking into account the exercise of due diligence, and would result in a miscarriage of justice. 18 U.S.C. §3161(h)(8)(B)(iv).

SO ORDERED.

DATED: November 28, 2007


THE HONORABLE BERNARD ZIMMERMAN
United States Magistrate Judge

